

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/20/2017

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CHRISTINA MELITO, CHRISTOPHER LEGG, :
ALISON PIERCE and WALTER WOOD, :
individually and on behalf of all others similarly :
situated, :

Plaintiffs, :

-against- :

AMERICAN EAGLE OUTFITTERS, INC., and AEO :
MANAGEMENT CO., :

Defendants. :

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AMERICAN EAGLE OUTFITTERS, INC., and AEO :
MANAGEMENT CO., :

Third-Party Plaintiffs, :

-against- :

EXPERIAN MARKETING SOLUTIONS, INC., :

Third-Party Defendant.:
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VALERIE CAPRONI, United States District Judge:

WHEREAS on September 8, 2017, the Court issued an Order Granting Final Approval of Class Action Settlement, Dismissing Class Plaintiffs' Claims and Entering Final Judgment ("Final Approval Order"), Dkt. 319;

WHEREAS Paragraph 27 of the Final Approval Order states: "Based upon this Court's finding that there is no just reason for delay of enforcement or appeal of this Final Approval Order And Judgment notwithstanding this Court's retention of jurisdiction to oversee implementation and enforcement of the Agreement, this Court directs the Clerk to enter final judgment against AEO pursuant to Rule 54(b)." Dkt. 319;

14-CV-2440 (VEC)

ORDER

WHEREAS Third-Party Defendant Experian requested that the Court amend the Final Approval Order to state the reasons for its determination that there is no just reason for delay of enforcement or appeal of the Final Approval Order pursuant to Federal Rule of Civil Procedure 54(b), Dkt. 320;

WHEREAS the Court ordered Plaintiffs and Defendants American Eagle Outfitters, Inc., and AEO Management Co. ("AEO") to show cause why Paragraph 27 of the Final Approval Order should not be vacated and stricken, Dkt. 321;

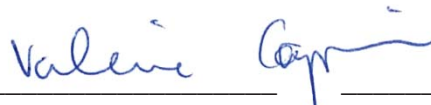
WHEREAS on September 19, 2017, Plaintiffs and AEO submitted a letter stating reasons why there is no just reason for delay of enforcement or appeal of the Final Approval Order and that final judgment should be entered against AEO pursuant to Rule 54(b), Dkt. 324;

IT IS HEREBY ORDERED that Paragraph 27 of the Final Approval Order is AMENDED to state the following:

27. Based upon this Court's finding that the Agreement does not affect the claims in the third-party action between AEO and Experian and that the equities favor entry of final judgment against AEO so that the Settlement Class Members can receive monetary relief from the Class Settlement, there is no just reason for delay of enforcement or appeal of this Final Approval Order And Judgment. Therefore, this Court directs the Clerk to enter final judgment against AEO pursuant to Rule 54(b). This Court retains jurisdiction to oversee implementation and enforcement of the Agreement.

SO ORDERED.

Date: September 20, 2017
New York, NY



VALERIE CAPRONI
United States District Judge